

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	MCCLURKEN	Examiner:	R. Rollins
Serial No.:	10/773,503	Group Art Unit:	3739
Filed:	February 6, 2004	Docket No.:	13045.20USC1
Confirmation No.:	6627		
Title:	ELECTROSURGICAL DEVICE HAVING A TISSUE REDUCTION SENSOR		

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RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In a Restriction Requirement mailed June 30, 2006, the Examiner indicated that the application contains three patentably distinct species:

Species I: Figures 1-5;

Species II: Figures 6-9; and

Species III: Figure 10.

Election is made, without traverse, to prosecute, at this time, Species I. Claims that read on Species I are 37-51 and 53-65. Upon allowance of a generic claim (e.g., claim 37), the unelected claims which depend from or otherwise require all the limitations of the allowed generic claim are entitled to consideration.

The Patent Office is invited to contact Applicants' primary attorney-of record, Mara E. DeBoe (Reg. No. 40,066), at (612) 371.5222, if there are any questions.

Respectfully Submitted,  
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Date: July 7, 2006

By

Mara E. DeBoe  
Mara E. DeBoe  
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EFS Transmission | July <sup>10</sup>~~4~~, 2006

TO:

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450	FROM: Mara E. DeBoe  OUR REF: 13045.20USC1  TELEPHONE: 612.371.5222
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Title of Document Transmitted: Response to Restriction Requirement

Applicant: McClurken

Serial No.: 10/773,503

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Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725.  
Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By: Mara E. DeBoe  
Name: Mara E. DeBoe  
Reg. No.: 40,066